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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,952	07/07/2003	Gaku Takano	065905-0305	6603
22428 7590 11/27/2007 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER SAFAIPOUR, HOUSHANG	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 11/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/612,952	<b>Applicant(s)</b> TAKANO ET AL.	
	<b>Examiner</b> Houshang Safaipoor	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-9, 11, 13 and 15 is/are rejected.
- 7) ☒ Claim(s) 10, 12 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7-9, 11, 13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Enomoto (US 2003/0164988).

Regarding claim 7, Enomoto discloses an image processing method for a multi-function image processing apparatus (MFP) (fig. 4) that is coupled to a network (fig. 4 LAN), the method comprising:

- a) receiving a local image processing request, the local image processing request not being received by way of the network; b) processing the local image processing request (fig. 4, local Fax);
- c) receiving a network image processing request sent over the network while the MFP is processing the local image processing request; d) denying the network image processing request;
- e) completing the local image processing request started in step b) [0177-0178]; and
- f) placing the MFP in a mode that is capable of accepting a new processing request, wherein the new processing request may be either another local image processing request, the

network image processing request denied in step d), or another network image processing request [0178-0181].

Regarding claim 8, Enomoto discloses the method according to claim 7, wherein the local image processing request is at least one of a copy, scan or print request (fig. 2-4).

Regarding claim 9, Enomoto discloses the method according to claim 8, wherein the network image processing job request denied in the step d) is stored in a memory, and is performed by the MFP as a first job request after the local image processing request has been completed (fig. 5a, [0073]).

Regarding claim 11, Enomoto discloses an image processing method for a multi-function image processing apparatus (MFP) that is coupled to a network, the method comprising: a) receiving a network image processing request sent over a network; b) processing the network image processing request; c) receiving a local image processing request, not sent over the network, while the network image processing request is still being processed; d) temporarily halting processing of the network image processing request; e) processing the local image processing request to completion; and f) continuing processing of the network image processing job request from a point where the network image processing request was halted in step d) [0179-0180].

Regarding claim 13, Enomoto discloses the method according to claim 11, wherein the local image processing request utilizes an interface unit to transfer data between components of the MFP, and wherein the network image processing request does not utilize the interface unit to transfer data between components of the MFP (fig. 1).

Regarding claim 15, Enomoto discloses the method according to claim 13, wherein the network image processed data is temporarily stored in a memory of the MFP before being transferred over the network to a device that initiated the network image processing request (fig. 5a, [0073]).

***Allowable Subject Matter***

3. Claims 10, 12 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
10/612,952  
Art Unit: 2625

Page 5

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Houshang safaipour  
Patent Examiner  
November 24, 2007

A handwritten signature in black ink, appearing to read 'H. safaipour', is written diagonally across the page.